

District Judge Benjamin H. Settle

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICK OLMTEAD,

Plaintiff,

v.

RAY MABUS,

Defendant.

CASE NO. 3:13-cv-05051-BHS

DECLARATION OF BURT L.
CARDELL

I, BURT L. CARDELL, declare under penalty of perjury, as provided by 28 U.S.C.
§ 1746, that the following is true and correct to the best of my knowledge:

1. I am currently employed by the United States Navy, at the Puget Sound Naval Shipyard and Intermediate Maintenance Facility, Bremerton, WA ("Shipyard"). I have been employed at the Shipyard for more than 35 years. My current position is Assistant Project Superintendent in Code 308 (Nuclear Facilities). I have been a supervisor for twenty five years. My date of birth is October 1, 1962.
2. A temporary promotion is done competitively, extensions are administrative and do not require a new competition. In my experience the order of events to make up a competitive selection for these positions is, basically: (1) announcement of a vacancy, (2) a review of the applicants by a regional personnel office that results in a certificate of eligible candidates, (3) the selecting official conducts an initial screening to determine whether or not the individuals on the list of "eligible candidates" possess the specific skills and experience necessary to meet the requirements of the position (for instance, if hiring a nuclear supervisor, does that individual possess the knowledge necessary to supervise nuclear workers), (4) a rating of those candidates identified is conducted by a group of supervisors, (5) a comparison of the ratings, and (6) a final selection by the proper authority.

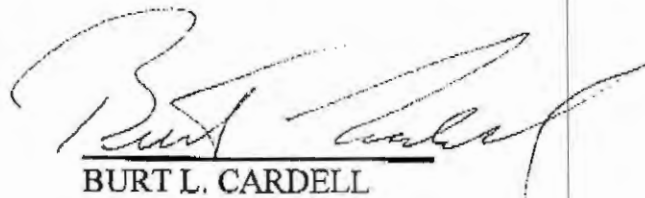
Declaration of BURT L. CARDELL
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UNITED STATES ATTORNEY
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3. In August, 2013, I requested a certificate from OCHR for a temporary Zone Manager (Supervisor II) position. The announcement number for that position is 698902.
4. I selected Mr. Shawn Pierson to fill my vacancy because he possessed the knowledge skills, and experience necessary to act as the Zone Manager over the nuclear facilities and was therefore the best qualified individual to fill my vacancy.
5. At the time of selection, Mr. Pierson was acting as the Zone Manager over the nuclear facilities. As such, he coordinated all work that was performed in the permanent facilities and oversaw all maintenance and repair work that was performed on permanent facilities in which nuclear work is performed (for instance, Fire Control Systems, Automatic Lift Doors, and Electrical Systems.).
6. When I made this selection, I did not know Mr. Olmstead. As such, I was unaware of his age and prior EEO activity.
7. I recall nothing unusual about this selection process, this occasion was the same as the other selections I have performed. I did not hear any comments related to the candidates ages, prior EEO activity, or any other improper factors, and I would not have expected to.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of December, 2014.


BURT L. CARDELL